

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER LOWER  
MANHATTAN DISASTER SITE LITIGATION

21 MC 102 (AKH)

This order applies to Case Number:

07 Civ. 5296 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

**STIPULATION AND ORDER**

By papers dated August 24, 2007, the parties to Case Number 07 Civ. 5296 (AKH) of the World Trade Center lower Manhattan Disaster Site litigation stipulate that each claim, cross-claim, and counter-claim asserted by and against defendant MILSTEIN PROPERTIES CORP., only, shall be and hereby are discontinued without prejudice and without costs to any party.

The parties further stipulate and agree that should evidence be discovered throughout the course of the litigation that determines that MILSTEIN PROPERTIES CORP. is a proper party to this suit, that plaintiffs may reinstitute the action without regard to the applicable statute of limitations, assuming the original action was timely commenced.

The stipulation is SO ORDERED.

Dated: Nov. 14, 2007  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**IN RE: LOWER MANHATTAN DISASTER  
SITE LITIGATION**

**21 MC 102 (AKH)  
07 CV 05296**

**NURY IBANEZ,**

**Plaintiff**

**STIPULATION OF  
DISCONTINUANCE**

**-against-**


**MILSTEIN PROPERTIES CORP. et al**

**Defendants**

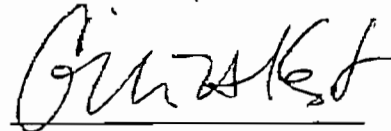
It is hereby agreed, by and between the parties to the above-captioned action, that plaintiff in the above-captioned action hereby dismisses all claims against Defendant **Milstein Properties Corp.** only, without prejudice, pursuant to Rule 41 (a)(1)(i).

The parties further stipulate and agree that should evidence be discovered throughout the course of the litigation that determines that **MILSTEIN PROPERTIES CORP.** is a proper party to this suit, that plaintiffs may reinstitute the action without regard to the applicable statute of limitations, assuming the original action was timely commenced.

Dated: August 24, 2007



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